



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

WELSH & KATZ LTD  
120 SOUTH RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO IL 60606-3913

IM41/1104

| APPLICATION NO.       | FILING DATE | TOTAL CLAIMS                      | EXAMINER AND GROUP ART UNIT | DATE MAILED   |
|-----------------------|-------------|-----------------------------------|-----------------------------|---------------|
| 087/93,833            | 02/18/97    | 033                               | BEISNER, W                  | 1744 11/04/98 |
| First Named Applicant | SCHUMACHER, | 35 USC 154(b) term ext. = 0 Days. |                             |               |

TITLE OF INVENTION  
DEVICE FOR DETERMINING THE ACTIVITY OF ENZYMES IN LIQUIDS  
(AS AMENDED)

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO.   | APPLN. TYPE | SMALL ENTITY | FEE DUE  | DATE DUE |
|-------------------|----------------|-------------|-------------|--------------|----------|----------|
| 3 69430           |                | 435-288.600 | L14 UTILITY | YES          | \$660.00 | 02/04/99 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

**Notice of Allowability**

Application No.

**08/793,833**

Applicant(s)

**SCHUMACHER ET AL.**

Examiner

**William H. Beisner**

Group Art Unit

**1744**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to Applicants' communication dated 10/6/98 and phone interview of 10/20/98.

☒ The allowed claim(s) is/are 12, 13, 16, 29-31, and 33-59

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 4.

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

Art Unit: 1744

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gerald T. Shekleton on Oct. 20, 1998.

2. The application has been amended as follows:

**In the Title:**

In the title, "PROCESS AND" and ", OR THE CONCENTRATION AND/OR ACTIVITY OF INHIBITORS IN LIQUIDS" has been deleted.

**In the Claims:**

Claim 29, line 2, "in a vessel comprising" has been changed to --comprising: a vessel,--.

Claim 30, line 1-2, "in a vessel, comprising" has been changed to --comprising: a vessel,--

Claim 30, line 7, --and an arrangement connected to the column for measuring the degree

E' of dilution of the discharged sample caused by a column buffer-- has been inserted after

"product".

Claim 31, line 1-2, "in a vessel, comprising" has been changed to --comprising: a vessel,--

Art Unit: 1744

Claim 31, line 10, "the buffer" has been changed to --a buffer--.

Claim 37, line 4, --and optionally-- has been inserted before "the column".

Claim 45, lines 1-3, "an arrangement connected to the column for measuring the concentration of the discharged sample into said vessel" has been deleted.

Claim 46, line 3, "the column" has been changed to --and optionally a column--.

Claim 55, line 3, "the buffer" has been changed to --and optionally the column buffer--.

Non-elected claims 60-69 have been canceled.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **William H. Beisner** whose telephone number is (703) 308-4006. The examiner can normally be reached on Tuesday to Friday from 6:40 AM to 4:10 PM. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden, can be reached on (703) 308-2920.


When filing a response by fax the following numbers should be used as indicated:

Official After Final Response Fax: (703) 305-3599

All Other Official Response Faxes: (703) 305-7718

Unofficial Faxes (proposed claims, draft copies of responses, etc.): (703) 305-7719

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

  
William H. Beisner  
Primary Examiner  
Technology Center 1700  
11/3/98

